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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,789	03/29/2004	Grant James Ryan	12000057-0002-002	4225
26263 7590 05/27/2010 SONNENSCHEIN NATH & ROSENTHAL LLP P.O. BOX 061080 WACKER DRIVE STATION, WILLIS TOWER			EXAMINER	
			ENG, DAVID Y	
WACKER DRI CHICAGO, IL		1S TOWER	ART UNIT	PAPER NUMBER
,			2455	
			MAIL DATE	DELIVERY MODE
			05/27/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)			
Office Action Summary		10/812,789	RYAN ET AL.			
		Examiner	Art Unit			
		DAVID Y. ENG	2455			
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the c	orrespondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) 又	Responsive to communication(s) filed on <u>06 April 2010</u> .					
•	This action is FINAL . 2b) ☐ This action is non-final.					
	· · · · · · · · · · · · · · · · · · ·					
<i>′</i> —	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Dispositi	ion of Claims					
· · _		s/are pending in the application				
•	Claim(s) 34,48-50,91-93,98,121 and 126-135 is/are pending in the application.					
	4a) Of the above claim(s) is/are withdrawn from consideration. Claim(s) is/are allowed.					
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	☑ Claim(s) <u>34, 48-50, 91-93, 98, 121 and 126-135</u> is/are rejected. ☑ Claim(s) is/are objected to.					
	Claim(s) are subject to restriction and/or	election requirement				
		diconorrequirement.				
Applicati	on Papers					
9)☐ The specification is objected to by the Examiner.						
10)	10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.					
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority ι	ınder 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). 						
Attachmen						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date						
3) 🔲 Inform	nation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	5) Notice of Informal P 6) Other:				

DETAILED ACTION

Claims 1-33, 35-47, 51-90, 94-97, 99-120 and 122-125 have been cancelled.

Newly submitted claims 132-135 have been entered. The active claims are 34, 48-50, 91-93, 98, 121 and 126-135 with 121 being independent claims.

Substitute Specification

The substitute specification filed on 4/6/2010 has not been entered because 1. the specification based on which the substitute specification was amended is not the original specification filed on 3/29/2004 and because the substitute specification contains new matter. The description newly inserted in the substitute specification has no support in the original specification.

Summary of the Invention

Applicants are requested to submit a new summary of the invention which is directed to the elected claims.

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract

on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The present abstract contains legal phraseology. See line 5 and the last line for examples.

Claim Rejections - 35 USC § 112, 1st paragraph

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 34, 48-50, 91-93, 98, 121 and 126-135 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Application/Control Number: 10/812,789 Page 4

Art Unit: 2455

The claims have no support in the original specification (hereinafter "the specification") filed on 3/19/2004. The specification fails to disclose a method having steps and limitations as recited in the rejected claims.

Claim Rejections - 35 USC § 112, 2nd paragraph

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 34, 48-50, 91-93, 98, 121 and 126-135 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The terms "entity attributes" and "identifying characteristic" in the preamble of claim 121 are vague and indefinite. It is not clear what they are. The term "application", in the 8th last line of claim 121, and the terms "item, element, issue or service" in the second last paragraph of claim 121 have similar defect.

It is not seen how the steps as recited would provide a method for providing a first user entity with virtual, unique, private, personal, social network formed from connections between contacts. There are no steps recited for rendering a virtual, unique, private, personal social network. Connections between contacts would not automatically result in a virtual, unique, private, personal social network.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 34, 48-50, 91-93, 98, 121 and 126-135 rejected under 35 U.S.C. 103(a) as being unpatentable over examiner's Official Notice.

It appears that the claims are directed to a method for forming a social network through Internet. Social network such as Face Book, dating network, Instant Messaging, VPN, etc. built over the Internet, are well known in the art. It would have been obvious to a person of ordinary skill in the art to build a social network using the existing Internet by connecting the members of the social network. No novelty, improvement or inventive concept is seen.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2455

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Y. ENG whose telephone number is 571-272-3984. The examiner can normally be reached on M-F from 8AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SALEH NAJJAR, can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DAVID Y. ENG/ Primary Examiner, Art Unit 2455